



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KNOLL, INC., X

Plaintiff,
-against-

MODERNO, INC. AND URBAN MOOD, INC.
d/b/a REGENCY SHOP, AND MIKE SAXENA

Defendants.

**ORDER DENYING MODERNO'S
MOTION FOR A PRELIMINARY
INJUNCTION AND SETTING
TRIAL SCHEDULE**

11 Civ. 0488 and 11 Civ. 3017 (AKH)

MODERNO INC., X

Plaintiff,
-against-

KNOLL, INC.

Defendant.

ALVIN K. HELLERSTEIN, U.S.D.J.: X

Discovery in this case has been completed. The parties are ready for trial.

On February 25, 2014, Moderno, Inc. moved for a preliminary injunction and Knoll, Inc. represented that it intended to move for summary judgment.

I called a conference with counsel on March 7, 2010 to discuss the status of the case. I set a trial date convenient to the parties: a timed trial from April 28, 2014 through May 9, 2014 with the final pretrial conference to be held April 24, 2014 at 2:30 p.m.

In the belief that Moderno, Inc. could not prove irreparable damages between the time I could decide its motion for preliminary injunction at the conclusion of trial, I deny the motion without prejudice, with the right to renewal. Any motion for summary judgment by Knoll, Inc. will be deferred until after trial.

All relevant motions for the pretrial conference are due, on schedules to be agreed to by counsel, in chambers by noon on April 20, 2014. Parties should simultaneously brief the

pending question of whether or not the trial should be a jury trial with papers, to be due in chambers by March 21, 2014.

The Clerk shall mark the motion (Doc. No. 126) terminated.

SO ORDERED.

Dated: March 10, 2014
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge